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OFFICE OF PETITIONS

In re Application of	:	
Takashi Suzuki	:	
Application No. 10/743,824	:	ON PETITION
Filed: December 29, 2003	:	
Attorney Docket No. 25-257	:	

This is a decision on the "REQUEST FOR RECONSIDERATION OF PETITION TO CORRECT FILING DATE", filed November 10, 2004, which is being treated as a petition under 37 CFR 1.53(e)(1) to accord the above application a filing date of December 29, 2003.

The petition is **GRANTED**.

Petitioner argues that the above-identified application was deposited in a drop box with the Office of Initial Patent Examination (OIPE) on December 26, 2003.¹ However, as December 26, 2003 was a federal holiday, petitioner states that the application should be accorded a filing date of the next business day, or December 29, 2003. Petitioner argues that the application should not be accorded the presently accorded filing date of December 24, 2003.

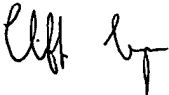
¹ An Office investigation into the matter revealed evidence to suggest that the OIPE drop box was locked at midnight on December 24, 2003, and was not opened again for deposits until December 29, 2003.

Petitions were filed on May 6, 2004 and July 23, 2004, and dismissed in decisions mailed on July 7, 2004 and November 4, 2004.

On request for reconsideration, petitioner has submitted sufficient evidence to establish that the above-identified application was deposited on December 26, 2003. Specifically, petitioner has included a copy of log papers showing that the application papers were filed on December 26, 2003. In addition, petitioner has included a copy of an e-mail with a time and date-stamp of 12:04 P.M. on December 26, 2004, stating that the application papers were filed that same day.

The application file is being forwarded to the Office of Initial Patent Examination to change the filing date from **December 24, 2003 to December 29, 2003**. Thereafter the file will be forwarded to the Certificate of Corrections Branch for issuance of a Certificate of Correction indicating a filing date of **December 29, 2003, not December 24, 2003**.

Telephone inquiries should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read 'Cliff Congo'.

Cliff Congo
Petitions Attorney
Office of Petitions